

IFW RCE/1626



<b>FREE TRANSMITTAL</b> <b>for FY 2004</b> <b>(Small Entity)</b>		Complete if Known	
		Application Number	09/762,006
		Filing Date	February 1, 2001
		First Named Inventor	Hans-Jörg EIBL
		Examiner Name	Stockton, Laura
		Group Art Unit	1626
Total Amount of Payment	(\$385.00	Attorney Docket Number	2923-123

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
2001	385	Utility filing fee	[ ]
2002	170	Design Filing Fee	[ ]
2003	265	Plant Filing Fee	[ ]
2004	385	Reissue Filing Fee	[ ]
2005	80	Provisional Filing Fee	[ ]

**SUBTOTAL \$0**

**2. CLAIMS**

Total Claims	Extra Claims	Fee \$	Fee Paid
[ ] - 20** = [ ] x		\$ 9 = [ ]	
Independent Claims [ ] - 3** = [ ] x		43 = [ ]	
Multiple Dependent Claims +		145 = [ ]	

\*\*or number previously paid, if greater;

**SUBTOTAL \$0**

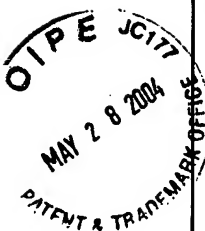
**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath	[ ]
2052	25	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840*	Requesting publication of SIR after Examiner action	[ ]
2251	55	Extension for reply within first month	[ ]
2252	210	Extension for reply within second month	[ ]
2253	475	Extension for reply within third month	[ ]
2254	740	Extension for reply within fourth month	[ ]
2255	1,005	Extension for reply within fifth month	[ ]
2401	165	Notice of Appeal	[ ]
2402	165	Filing a brief in support of an appeal	[ ]
2403	145	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
2452	55	Petition to revive -unavoidable	[ ]
2453	475	Petition to revive - unintentional	[ ]
2501	665	Utility issue fee (or reissue)	[ ]
2502	240	Design issue fee	[ ]
2503	320	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[ ]
2809	385	Filing a submission after final rejection (37 CFR .129(a))	[ ]
2810	385	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
2801	385	Request for Continued Examination (RCE)	[385 ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing an application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
Other fee (specify)			[ ]


\* Reduced by Basic Filing Fee Paid **SUBTOTAL \$385.00**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Patrick T. Skacel, Reg. No. 47,948		
SIGNATURE		DATE	5/28/04
		DEPOSIT ACCOUNT USER ID	



<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>	<i>Application Number</i>	09/762,006
	<i>Filing Date</i>	February 1, 2001
	<i>First Named Inventor</i>	Hans-Jörg EIBL
	<i>Group Art Unit</i>	1626
	<i>Examiner Name</i>	Stockton, Laura
	<i>Attorney Docket Number</i>	2923-123
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
<b>This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.</b> Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.		

1. Submission required under 37 C.F.R. § 1.114 Note: if the RCE is proper, any previously filed unentered amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declarations
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.170(i) required.)
- b. ☐ Other \_\_\_\_\_
3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2135.
- i. ☒ RCE fee required under 37 C.F. R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of **\$385.00** enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed.)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
NAME AND REG. NUMBER	Patrick T. Skacel, Reg. No. 47,948		
SIGNATURE		DATE	5/28/04

2923-123.rce.wpd



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.:	09/762,006	Confirmation No.:	6539
Applicants/Inventor:	Hans-Jörg EIBL, et al.		
Filed:	February 1, 2001		
TC/A.U.:	1626		
Examiner:	Stockton, Laura		
Attorney Docket Number:	2923-123		
Customer No.:	6449		

**AMENDMENT**

Director of the United States Patent  
and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

May 28, 2004

Sir:

In connection with the Request for Continued Examination (RCE) being filed concurrently herewith, please amend the above-identified application as indicated below and on the following pages. This Amendment and RCE are being submitted in lieu of an Appeal Brief, and in response to the September 29, 2003 Final Office Action and the Advisory Actions mailed April 9, 2004 and May 10, 2004 in connection with the above-identified application. Applicants timely filed a Notice of Appeal on March 29, 2004, thereby setting a due date of May 29, 2004 for submission of an Appeal Brief. Thus, this reply is being timely filed. Applicants respectfully request that this Amendment be entered in lieu of the previously unentered Amendment of March 29, 2004.

Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the Listing of Claims which begins on page 2 of this paper.

**Remarks** begin on page 13 of this paper.